



# भारत का राजपत्र The Gazette of India

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No. 21]

NEW DELHI, SATURDAY, JUNE 1, 1968 (JYAISTHA 11, 1890)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

## भाग III—खण्ड 3

### PART III—SECTION 3

लघु प्रशासनों से सम्बन्धित अधिसूचनाएं

### Notifications relating to Minor Administrations

#### UNION TERRITORY OF DADRA AND NAGAR HAVELI

*Silvassa, the 31st March 1968*

*No. ADM/LAW/226/Ten.Ordi.*—In exercise of the powers vested in me under sub-section 3 of Section 4 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961 (Ordinance No. 2 of 1961), I, Nakul Sen, Administrator, Dadra and Nagar Haveli, do hereby vary the maximum rent payable by tenants from 1/6th of the Crop-Share to cash equivalent of one-eighth of the crop-share or Rs. 35/- per hectare whichever is less' with effect from the current revenue year.

*The 11th May 1968*

*No. ADM/LAW/217*—In exercise of the powers conferred by sub-section (3) of Section 1 of the Bombay Money-Lenders Act, 1946 (No. XXXI of 1947) as extended to the Union Territory of Dadra and Nagar Haveli, I, Nakul Sen, Administrator, Dadra and Nagar Haveli, am pleased to appoint the 1st day of June, 1968 to be the date on and from which the said Act as extended to this Union Territory shall come into force.

*No. ADM/LAW/217*—In exercise of the powers conferred by Section 3 of the Bombay Money-Lenders Act, 1946 (No. XXXI of 1947) as extended to the Union Territory of Dadra and Nagar Haveli, I, Nakul Sen, Administrator, Dadra and Nagar Haveli, am pleased to appoint the Collector, Dadra and Nagar Haveli, Silvassa to be the Registrar General of Money-Lenders in the Union Territory of Dadra and Nagar Haveli for the purposes of the Act.

*No. ADM/LAW/217*—In exercise of the powers conferred by Section 3 of the Bombay Money-Lenders Act, 1946 (No. XXXI of 1947) as extended to the Union Territory of Dadra and Nagar Haveli, I, Nakul Sen, Administrator, Dadra and Nagar Haveli, am pleased to appoint the Secretary to the Administrator, Dadra and Nagar Haveli to be the Registrar of Money-Lenders in

the Union Territory of Dadra and Nagar Haveli for the purposes of the Act.

*No. ADM/LAW/217*—In exercise of the powers conferred by Section 3 of the Bombay Money-Lenders Act, 1946 (No. XXXI of 1947) as extended to the Union Territory of Dadra and Nagar Haveli, I, Nakul Sen, Administrator, Dadra and Nagar Haveli, am pleased to appoint the Mamlatdar, Dadra and Nagar Haveli to be the Assistant Registrar of Money-Lenders in the Union Territory of Dadra and Nagar Haveli for the purposes of the Act.

*Bombay Money-Lenders Act, 1946 as extended to the Union Territory of Dadra and Nagar Haveli*

*No. ADM/LAW/217*—In exercise of the powers conferred by Section 39 of the Bombay Money-Lenders Act, 1946 (No. XXXI of 1947), as extended to the Union Territory of Dadra and Nagar Haveli, I, Nakul Sen, Administrator, Dadra and Nagar Haveli, do hereby make the following rules, namely :—

1. *Short title and extent.*—(1) These rules may be called the Dadra and Nagar Haveli Money-Lenders Rules, 1968.

(2) They extend to the whole of the Union Territory of Dadra and Nagar Haveli.

2. *Definitions.*—In these rules, unless there is anything repugnant in the subject or context—

(a) "Act" means the Bombay Money-Lenders Act, 1946; as extended to the Union Territory of Dadra and Nagar Haveli;

(b) "Form" means a form appended to these rules; and

(c) "Section" means a section of the Act.

3. *Register of money-lenders.*—The register of money-lenders required to be maintained under Section 4 shall be in Form No. 1.

4. *Display of list of licensed money-lenders.*—The Assistant Registrar shall display on a notice board in his office a list of money-lenders licensed to carry on the business of money-lending in the area under his jurisdiction. Such list shall contain the addresses of the money-lenders.

5. *Application for licence.*—(1) A money-lender desiring to carry on the business of money-lending in any area shall make an application in Form No. 2 to the Assistant Registrar concerned. The application shall be delivered at the office of the Assistant Registrar during office hours either personally by the applicant or through an agent authorised in writing in this behalf or sent by registered post addressed to the Assistant Registrar.

(2) An application for the grant of a licence for the first time may be made on any date and an application for renewal of licence may be made on any date within three months prior to the expiry of the licence.

6. *Changes in partnership or management.*—If during the currency of a licence a new partner is taken up or a person is appointed as responsible for the management of the business of money-lending, the money-lender shall, within seven days communicate to the Registrar the name of the partner so taken up or of the persons so appointed; and shall satisfy the Registrar that the new partner or the person appointed is not himself disqualified from holding a licence on any of the grounds mentioned in Section 8.

7. *Change of address.*—A money-lender shall communicate to the Registrar any change in his address giving full details of the new address within seven days of such change.

8. *Procedure for summary inquiry under Section 7.*—On the receipt of an application for the grant or renewal of a licence, the Assistant Registrar shall make the summary inquiry under Section 7 by examining the applicant or person responsible for the management of the business of money-lending or such other persons as he may deem fit, by calling for such information from the applicant as he considers necessary and by inspecting or causing to be inspected such accounts and documents as he may deem fit in order to satisfy himself about the *bona fides*, and conduct of the applicant. If from the examination made or information supplied, the Assistant Registrar is not so satisfied, he may take further steps to satisfy himself. The Assistant Registrar shall maintain a record of such inquiry and shall sign below the same. The record shall contain a brief memorandum of the substance of evidence taken and a summary of the conclusions regarding the facts elicited during the inquiry.

9. *Form of licence.*—The licence under Section 7 shall be in Form No. 3.

10. *Manner of payment of licence fees.*—(1) The licence fee of Rs. 5 and Rs. 2 under Section 6 shall be paid in cash at the time of presenting the application or by remitting it by postal money order addressed to the Assistant Registrar or by crediting to Government account at a treasury and forwarding the receipt of the postal money order or the receipted chalan to the Assistant Registrar along with the application.

(2) The Registrar while forwarding copies of the licence for the principal place and the application to other Registrar or Registrars shall make an endorsement in token of having received the requisite licence fee.

11. *Levy of inspection fee.*—(1) On the receipt of an application for the renewal of a licence, the Assistant Registrar to whom the application has been made shall call upon the applicant to produce his accounts for inspection. He shall then assess the inspection fee payable under Section 9-A in respect of inspection of books of accounts and call upon the applicant to pay the inspection fee in the manner prescribed in rule 10. The inspection fee shall be paid within ten days of the receipt of the order in this behalf by the applicant or within such

further period not exceeding thirty days in the aggregate of the receipt of the order as the Registrar may grant in that behalf.

(2) The Registrar may *suo motu* or on an application made in that behalf revise the order of assessment made under sub-rule (1) if he thinks fit.

12. *Reasons for refusing to grant licence to be communicated to applicant.*—If a Registrar refuses to grant a licence, he shall communicate to the applicant his reason for so doing.

13. *Appeal against order of Registrar refusing or cancelling a licence.*—(1) An appeal under sub-section (3) of Section 8 or 8A against the order of a Registrar refusing to grant or cancelling a licence shall be instituted within thirty days from the date on which the order of refusal or cancellation is communicated to the money-lender. Such appeal shall be accompanied by a certified copy of the order appealed against and shall contain in brief the grounds of the appeal.

(2) The Registrar General shall decide the appeal after hearing the appellant or his pleader, as the case may be.

14. *Display of licence.*—Every money-lender shall exhibit his licence in a prominent place on the premises where he carries on the business of money-lending. He shall also exhibit outside his premises a signboard showing (i) the name in which the business of money-lending is carried on and (ii) the number of his licence :

Provided that the Registrar General or the Registrar of Money-lenders may, subject to the general or special order of the Administrator exempt any money-lender from the operation of all or any of the provisions of this rule.

15. *Issue of duplicate licence.*—(1) When a licence granted to a money-lender is lost, destroyed, or torn or otherwise defaced in such a manner as to render it illegible, the money-lender may make an application to the Registrar for the grant of a duplicate licence.

(2) Where a duplicate licence is required on the ground that the original licence is torn or defaced, the money-lender shall surrender the original licence to the Registrar along with the application made under sub-rule (1).

(3) An application under sub-rule (1) shall be accompanied by a fee of Re. 1. The fee shall be paid in the manner prescribed in rule 10.

(4) On receipt of such application, if the Registrar after making such inquiry as may be deemed necessary is satisfied that a duplicate licence may be issued to the money-lender, he shall issue a duplicate licence and direct the Assistant Registrar to make a note of the issue of such a duplicate licence to the money-lender against his name in the register.

(5) The duplicate licence so issued shall bear on its face the number and date of the original licence and shall also bear the word "Duplicate".

16. *Forms of cash book, ledger and of statement and receipt under Section 18.*—The cash book and ledger to be maintained by a money-lender under sub-section (1) of Section 18 shall be either in Forms Nos. 4 and 7 respectively or in Forms 5 and 6 respectively. The statement under clause (a) of sub-section (2) of Section 18 shall be in Form No. 8. The receipts under sub-sections (3) and (4) of Section 18 shall be in Forms Nos. 9 and 10 respectively.

17. *Capital Account.*—Every money-lender shall open a capital account in Form No. 11 for the purposes of Section 9A.

18. *Annual statement of accounts to be delivered by money-lender to debtor etc., under Section 19(1).*—(1) The annual statement of accounts to be delivered by a money-lender to each of his debtors under sub-section (1) of Section 19 shall be in Form No. 12.

(2) The statement shall be furnished to each of the debtors within sixty days after the close of the year for which the accounts of the money-lender are ordinarily maintained :

Provided that the Registrar may, on the application of the money-lender extend such period in the aggregate to not more than ninety days after the close of such year, if the money-lender proves to the satisfaction of the Registrar that he was unable to furnish the statements for some reasonable cause and that not less than two-thirds of the total number of statements will be furnished within the said sixty days.

(3) The fee to be paid by a debtor to a money-lender for supplying a statement of accounts under sub-section (2) of Section 19 shall be fifty Paise.

(4) The expenses to be recovered from a debtor for supplying copies of documents by a money-lender under sub-section (3) of Section 19 shall be according to the following scale :—

For copying 100 words or fraction thereof—Six Paise.

For copying 100 words or fraction thereof of tabular statement—Twelve Paise.

Cost of paper—Two Paise per sheet of foolscap size.

19. *Fees for supply of statements or pass-books.*—(1) The rate of fees recoverable under sub-section (2) of Section 19A shall be—

(a) twelve Paise for each statement or a copy thereof supplied under sub-section (2) of Section 18 and sub-section (1) of Section 19, and

(b) fifty Paise for each pass-book containing not less than eight pages excluding cover pages supplied under sub-section (2) of Section 18 and sub-section (1) of Section 19.

(2) The amount on account of such fees shall be shown separately in debtor's account.

20. *Form of pass-book.*—The pass-book mentioned in Sections 18 and 19 shall be either in Form No. 13 or in Form 14.

21. *Notice and information to be given on assignment of loan.*—The notice to be given to an assignee under clause (a), the statement of information to be supplied to an assignee under clause (b) and the notice to be given to the debtor under clause (c), of sub-section (1) of Section 27, shall be in the Forms Nos. 15, 16 and 17 respectively.

22. *Form of application under Section 30.*—The application to be made by a debtor under sub-section (1) of Section 30 shall be in Form No. 18 and shall be accompanied by a court-fee of Re. 1.

23. *Copies of documents on payment of fees.*—(1) Any party to any application, inquiry, or appeal under the Act before the Assistant Registrar, Registrar or Registrar General, or any person who is interested in such application, inquiry or appeal may apply to the Assistant Registrar, Registrar or Registrar General, as the case may be, for a copy of any document in the record of such application, inquiry or appeal.

(2) The application shall be accompanied by deposit of an amount to cover the cost of preparing copies according to the following scale of copying fees, namely :—

(a) In the case of English copies, 5 Paise for every 25 words or fraction thereof;

(b) In the case of copies in regional languages, 5 Paise for every 33 words or fraction thereof;

(c) In the case of certified copies, an additional 5 Paise for 100 words or fraction thereof for comparing;

(d) In the case of documents in tabular forms, twice the ordinary rate :

Provided further that a surcharge of 55 per cent shall be levied on all copying, comparing and translation fees and added to the total charges for the preparation of certified copies;

(e) When the description of the document given in the application is incorrect or deficient, and it shall in consequence be necessary for Record-Keeper to search his records in order to find it, a fee at the rate of one rupee for each year, of which the records are searched, shall be payable by the applicant for such search, whether the document be found or not and whether the copy for which he applies, on examination of the said document, be granted or not.

(3) The amount calculated according to the above scale shall be retained by the Assistant Registrar, Registrar or Registrar General to whom the application for grant of copies is made, as copying fees and the surplus amount, if any, deposited by the person applying for copies shall be refunded to him at the time of supplying the copy; provided that the person applying for copies shall, if the amount deposited by him is not sufficient to cover copying fees, pay the deficit before taking delivery of the copy.

24. *Forms of summons.*—The summons to be issued for enforcing the attendance of any person under Section 13 in connection with an inquiry under Section 7 shall be in Form No. 19 or 20 as the case may be.

25. *Compounding of offences.*—The Registrar shall pass an order in writing under Section 35-C determining the amount to be accepted by way of composition of an offence and communicate it to the money-lender concerned. The money-lender shall thereupon remit the amount within ten days from the date of the order in the manner prescribed in rule 10 or within such further period not exceeding thirty days in the aggregate as the Registrar may, for sufficient cause, grant in that behalf.

## FORM NO. 1

(Rule 3)

## REGISTER OF MONEY-LENDERS.

Office of the Assistant Registrar of

Serial No.	Name, father's or husband's sur-name or religion and full residential address of the money lenders*.	Name, father's name and full residential address of the person or persons responsible for the mana-gement of the business if any.	Full details of the principal place of business and of the branches there-of.	Date and Serial No. of previous licence, if any.	Date of the issue of the present licence.	Serial No. of the application.	Cancellation of licence† if any, with date and particulars.
1	2	2A	3	4	5	6	7
Orders of appellate authority, if any.	Particulars of cancellation or suspension of licence under section 14(ii)(a) or disqualification under section 14(ii)(b).		Number of duplicate licences issued with date.	Signature of Registrar.		Assistant	Remarks
8	9	10	11	12			

\*In the case of an Undivided Hindu Family, column 2 should show the full name and full residential addresses of the manager and adult coparceners of such family, in the case of or company, the column 2 should show the full names and full residential addresses of his directors and manager or principal officers and in case of an unincorporated body of individuals, the full names and full residential addresses of all individuals.

†When filling up this column the section of the Act under which cancellation is made should be entered.

## FORM NO. 2

(Rule 5)

## Application for the grant of a licence to money-lender

In the Office of the Assistant Registrar of.....

1. Name of the applicant, with father's or husband's name, surname, residential address in full.

Names of the manager and the adult coparceners of the undivided Hindu Family, with father's names, surname, residential address in full.

Names of the directors manager, or principal officer managing the bank or company with father's or husband's name, surnames, residential address in full.

Names of all the persons forming an unincorporated body, with father's or husband's name, surnames, residential addresses in full.

2. Name in which the applicant carries on or intends to carry on his money-lending business.
3. Name of the area within which the applicant has or intends to start his business of money-lending on the date of the application.
4. Names of persons responsible or proposed to be responsible for the management of the applicant's money-lending business with the father's or husband's name, surname, residence and address in full.
5. Location of the applicant's place or principal place of business, with full particulars thereof and the name, father's or husband's name, surname and address of the person in charge.
6. Whether the person signing the application or any of the adult coparceners of an undivided Hindu family, or any Director, Manager or principal officer of the Bank or Company or any member of the unincorporated body on behalf of which the application is made, as the case may be, has carried on the business of money-lending in the U.T. in the year ending on the 31st day of March immediately preceding the date of the applica-

tion either individually, or in partnership or jointly with any other coparcener or any other person and whether in the same or any other name.

7. Is the applicant or any other person on behalf of whom the application has been made, carrying on or intends to carry on the business of money-lending in any other place in the U.T. ? If so, give complete particulars with the name, surname and address of the person in charge of each office. Give particulars of the location of each such office and the area within which the business of money-lending is being carried on or is proposed to be carried on at each such place.
8. What is the extent of the total business of the applicant on 31st March ?
9. What is the total amount of the capital which the applicant intends to invest in the business of money-lending in the year for which the application has been made ?
10. What is the year for which the applicants accounts are maintained ?
11. Has the applicant carried on the business of money-lending in the past and if so, since when ?
12. Has any application for licence previously been made ? If so, when, where and with what results ?
13. In case the application has previously been granted, give the No. of the licence and the name in which the money-lending business is carried on.
14. Has any licence granted previously to the applicant been cancelled or suspended or does it contain any endorsements of the Court or any disqualifications imposed by the Court ? If so, full particulars should be given including the name of the officer and/or Court and the date and terms of the order.
15. Is money-lending the sole business of the applicant or is he engaged in any other

business, profession or calling? If so state such business profession or calling.

16. Whether the applicant is a full time servant in the employment of Government or of a local authority, if so state the designation of the post held; and (ii) whether by rules applicable to him in that capacity he is entitled to start or carry on the business of money-lending.

Certified that all the facts set out in the application are true to my knowledge except.....paragraphs, which are true to my belief being based on information supplied by .....

*Signature of applicant with date.*

### FORM NO. 3

(Rule 9)

#### Money-lenders Licence

- (1) Licence Number .....  
 (2) Full Name and address of the money-lender. ....  
 \*(3) Full Name/s of persons responsible for the money-lending business .....

- \*(4) Full Name/s of partners/coparceners .....  
 (5) Name in which money-lending business is carried on. ....  
 (6) Area for which licence is valid .....  
 (7) Full address of the place of business .....  
 (8) Period for which licence is valid from ..... to .....

This licence has been granted subject to the provisions of the Bombay money-lenders Act, 1946 as extended to the Union Territory of Dadra and Nagar Haveli and the rules made thereunder.

The licensee shall surrender the licence when ordered to do so, by the Registrar granting it or by the Registrar General or by a Court.

Seal

*Registrar of Money-lenders*

Date :

Back :

Endorsement, if any :

*Signature*

Remarks :

\*Note :—State also father's or husband's name.

### FORM NO. 4

(Rule 16)

#### CASH BOOK

Receipts.....

Disbursements.....

Date	Particulars	Ledger folio	Amount	Date	Particulars	Ledger Folio	Amount
			Rs. P.				Rs. P.
1946				1946			
August 2	Brought forward Interest received from Jagat Ch. Mookerji on the mortgage bond, dated from..... to.....	6,000.00		August 2	Lent to B. C. Sen, rupees five thousand interest per cent. per annum. By balance C/F	5,000.00	5,000.00
		25.00				1,025.00	
			6,025.00			6,025.00	
August 3	To Balance B/F	1,025.00					

In case of loans in kind the entry shall contain clear reference to the commodity advanced with market value of same at the date of each transaction.

### FORM NO. 5

(Rule 16)

#### CASH BOOK

Date.....

Creditor..... Debtor.....

Amount	Particulars	Amount	Particulars
Rs. P.		Rs. P.	
.....	Opening balance brought forward.	.....	.....
.....	Closing balance carried over.	.....	.....

N.B.—The Ledger Folio number should be entered in any convenient manner.

### FORM NO. 6

(Rule 16)

Ledger Folio No.....  
 Name of Debtor.....  
 Full address of Debtor.....

Creditor				Debtor			
Amount	Date	Page No. of the corresponding entry in the cash book.	Particulars	Amount	Date	Page No. of the corresponding entry in the cash book.	Particulars
Total Receipt				Total Payment			
Detailed (during the year)				Abstract.			
Recoveries (during the year)				Principal.			
Net balance due				Interest.			
Carried over							

## FORM NO. 7

(See Rule 16)

Name and address of the debtor.....Ledger account

Ledger Folio No.

Date	Principal Amount borrowed or debited	Amount of fees due in respect of supply of statements and pass books of debts	Amount repaid or credited			Balance due after each transaction			Details of calculation of interest				
			Princi- pal	Interest	Fees for statements & pass- books of debts	Total	Princi- pal	Interest	Fees for statements & pass- books of debts	Princi- pal due	Months	Amounts of interest recovered	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14

## FORM NO. 8

(Rule 16)

Statement showing the details of conditions of the loan.

1. Name of debtor .....
2. Address .....
3. Amount of loan .....
4. Date of loan .....
5. Date of maturity of loan, if any .....
6. Rate of interest per annum .....
7. Nature of the security (Weight, estimated value, etc.) .....
8. Name and address of the money-lenders. ....
9. Date .....

Place..... Signature of the Money-lenders.

N.B.—A separate statement shall be furnished in respect of each loan transaction :

In case of loans in kind there shall be reference to the commodity advanced along with market value of the same at the date of each transaction.

## Explanation.—

(1) Agricultural loan means given for production of crops for cultivation and for other allied purposes in connection with agriculture.

(2) Industrial loan means loan given for manufacturing purpose.

(3) Trade loan means loan given for trade i.e., buying and selling goods or other property movable or immovable.

(4) Personal loan means loan given for paying off old debts marriage ceremonies, religious ceremonies, personal needs, etc.

(5) Miscellaneous loan includes loan for purposes not covered by (1) to (4) above.

## FORM NO. 9

(Rule 16)

## RECEIPT

Serial No. .... Date .....

Moneylender's name and address .....

Licence No. ....

Received Rs. .... from Shri ..... (debtor's name) in respect of loan of Rs. .... advanced on and the amount has been credited as follows :—

Towards Principal.....Rs.....P.....

Towards Interest from....Rs.....P.....(date) to....

Signature of the Money-lender. ....

## FORM NO. 10

(Rule 16)

Counter-foil	Receipt to be given to the debtor
(1) Full name of the debtor and his full address.	(1) Full name of the debtor and his full address.
(2) Caste (if he/she belongs to backward class).	(2) Caste (if he/she belongs to backward class).
(3) Full particulars of the security.	(3) Full particulars of the security.
(4) Estimated value.	(4) Estimated value.
(5) Total amount of loans advanced.	(5) Total amount of loans advanced.
(6) Other connected information.	(6) Other connected information.
Signature of the debtor.	Signature of the Money-lender or the person responsible for the Money-lending business

N.B.—In case of valuable articles weight of the article, etc. should be given against item No. 3 above.

## FORM NO. 11

(Rule 17)

Date	Total amount of repayments of loans	Page No. of the cash book	Total amount of loans advanced	Page No. of the cash book	Net total am- ount remained invested in the money-lending business
	Rs.		Rs.		Rs.
1st August 1959 . . . . .	..	..	50,000*	..	50,000
2nd August 1959 . . . . .	5,000	1	6,000	1	51,000
3rd August 1959 and so on . . . . .	8,000	2	2,000	2	45,000

\*Amount remained invested at the end of the last year.

## FORM NO. 12

[Rule 18(1)]

Annual statement of Accounts to be delivered by a Money-lender to his Debtors within sixty days after the close of the year.

- Name of the debtor .....
- Occupation .....
- Address .....
- Whether the debtor belongs to Backward Class. Yes/No.
- No. of Ledger Account or Ledger Folio.
- Amounts of principal and interest separately due to the money-lender and the amount of fees due in respect of supply of statements of debts.
- Amount of every payment already received by the money-lender in respect of loan during the account year together with the date on which each payment was made.
- All payments credited first in the accounts of interest, and the residue, if any, of any payment more than sufficient to discharge the balance of interest due at the time it is made, credited to the debtor in the account of principal or at the choice of the money-lender to either of the two accounts or both.
- Payment made on account of fees due in respect of supply of statements of debts.

- The amount of principal remaining unpaid, the interest thereon and the amount remaining unpaid on account of fees due in respect of statements of debts.

Signature of the Money-lender or his Agent.

## FORM NO. 13

(Rule 20)

Pass-Book  
Cover Page

- Name of the Money-lender .....
- His address .....
- Licensed money-lender under the Bombay Money-lenders Act, 1946 ; as extended to the Union Territory of Dadra and Nagar Haveli.
- Name of the debtor .....
- His address .....
- Occupation .....
- Agriculture/Industrial /Commercial/ Miscellaneous.
- Whether he/she belongs to Sch. Class/Sch. Tribes Yes/No....

## Explanation—

- Agricultural loan means loan given for production of crops for cultivation and for other allied purposes in connection with agriculture.
- Industrial loan means loan given for manufacturing purposes.
- Commercial loan means loan given for trade i.e. buying and selling goods or other property movable or immovable.
- Personal loan means loan given for paying off old debts, marriage ceremonies, religious ceremonies, personal needs, etc.
- Miscellaneous loan includes loan for purposes not covered by (i) to (iv) above.

## Contents of the Pass Book.

Name of the Money-lender ..... Name of the debtor.....

His address : ..... His address : .....

Occupation .....

Serial No.	Date, month and year	Amount of loan advanced	Nature of security particulars of documents and special condition if any	Rate of interest	Date of maturity	Total amount repaid by the debtor
1	2	3	4	5	6	7

Amount repaid by the debtor how credited		Balance to be recovered from the debtor		signature of the Money-lender	Remarks
Principal 8	Interest 9	Principal 10	Interest 11	12	13

**FORM NO. 14**

(Rule 20)

PASS BOOK

Cover page

- (1) Name of the licensed Money-lender :  
 (2) His address :  
 (3) Name of the Debtor :  
 (4) His address :  
 (5) Occupation of the Debtor :  
 (6) Whether he belongs to Backward Class :

Yes/No.

(Contents of the Pass Book)

Credit				Debit			
Amount	Date	Particulars	Signature of Money-lender	Amount	Date	Particulars	Signature of Money-lender
Annual Abstract				Total payment Principal and Interest.			
Total, receipt				Signature of the Money-lender.			

**FORM NO. 15**

(Rule 21)

Please take notice under clause (a) of sub-section (1) of section 27 of the Bombay Money-lenders Act, 1946 as extended to the Union Territory of Dadra and Nagar Haveli that pursuant to the agreement made by me with you

the loan advanced to Shri

the balance of loan

to assign

interest on the loan

balance of interest on the loan

Address

together with accrued interest/balance of interest and benefits of the agreement under which the aforesaid loan was given to the debtor as well as security in respect of loan/interest on loan, you will be subject, with effect from to the provisions of the Bombay Money-lenders Act, 1946, as extended to the Union Territory of Dadra and Nagar Haveli.

Signature of the Money-lender.  
 Prior assignee of the Money-lender.  
 Date.

**FORM NO. 16**

(Rule 21)

Statement of information to be supplied to the assignee under clause (b) of sub-section (1) of section 27 of the Bombay Money-lenders Act, 1946, as extended to the Union Territory of Dadra and Nagar Haveli.

Name of the Money-lender including subsequent assignees, if any, and his/their address/addresses—

Name of debtor

Address

1. Date of loan

2. Amount of loan

3. Rate of interest per annum

4. Amount of fees due in respect of supply of debts.

5. Total repayments made by the debtor up-to-date

6. (a) Principal

(b) Interest

(bb) Fees for supply of statements of debts.

(c) Total

7. Nature and value of the security.

8. Particulars of documents including previous assignments, if any.

9. Any special condition attaching to the loan.

10. List of documents of which copies are attached.

11. Other information, if any.

Signature of Assignor/Money-lenders.  
 Address  
 Date.

**FORM NO. 17**

(Rule 21)

To \_\_\_\_\_  
 Debtor.

Please take notice under clause (c) of sub-section (1) of section 27 of the Bombay Money-lenders Act, 1946, as extended to the Union Territory of Dadra and Nagar Haveli that I propose to make an assignment

the loan

balance of loan

of interest on loan

balance of interest on loan



advanced to you on together with  
Accrued interest and benefits of the agreement under the  
balance of interest

aforesaid loan as well as security taken in respect of the  
Loan to (Name of the assignee).

interest on the loan (Address of the assignee) (dated)  
..... with effect from..... and that  
the date of such assignment, the assignee above-named shall  
exercise all rights and shall have all the liabilities under the  
provisions of the Bombay Money-lenders Act, 1946, as extended  
to the Union Territory of Dadra and Nagar Haveli.

*Signature of Money lender.*

*Address.*

*Signature of prior assignee of the  
Money-lender.*

*Address.*

#### FORM NO. 18

(Rule 22)

*Application to a Court under sub-section (1) of section 30  
for taking accounts.*

In the Court of.....  
Misc. Case No.....  
of 19.....

The undermentioned debtor applies for taking accounts  
of the loan described below and for declaring the amount due  
to the money-lender.

#### *Particulars of Loan.*

1. Document, if any, with particulars
2. Amount
3. Description of the Money-lender—
  - (a) Name
  - (b) Father's/Husband's name
  - (c) Address
4. Description of the debtor—
  - (a) Name
  - (b) Father's/Husband's name
  - (c) Address

Date..... *Signature.*

#### FORM NO. 19

(Rule 24)

#### *Summons to Money-lender*

No. \_\_\_\_\_ Name of the office.  
To \_\_\_\_\_

Whereas your application for grant of a licence under  
the Bombay-Money-lenders Act, 1946, as extended to the  
Union Territory of Dadra and Nagar Haveli has been re-  
ceived by me, you are hereby summoned in accordance  
with Section 13 of the said Act, to appear before me at  
the above address in person on the \_\_\_\_\_ day of  
19\_\_\_\_, at \_\_\_\_\_ O'clock in the noon,  
for your being examined in connection with the said ap-  
plication; and you are directed to produce on that day all  
the documents upon which you intend to rely in support  
of your application.

Take notice that, in default of your appearance on the  
day before mentioned your application for grant of a  
licence under the said Act shall not be considered.

Given under my hand and seal this \_\_\_\_\_ day of  
19\_\_\_\_.

(Seal)

*Designation of the Officer.*

#### FORM NO. 20

(Rule 24)

#### *Summons to witness*

No. \_\_\_\_\_

Name of the Office.

To \_\_\_\_\_

Whereas it is necessary to examine you in connection  
with the application made by Shri  
for grant of a licence under the  
Bombay Money-lenders Act, 1946, as extended to the  
Union Territory of Dadra and Nagar Haveli you are  
hereby summoned in accordance with Section 13 of the  
said Act, to appear before me at the above address in  
person on the \_\_\_\_\_ day of 19\_\_\_\_ at \_\_\_\_\_ O'clock  
in the \_\_\_\_\_ noon; and you are directed to produce  
any documents you may have in your possession in sup-  
port of the information that will be supplied by you.

Take notice that if you fail to comply with this order  
without lawful excuse, you will be liable to a fine which  
may extend to five hundred rupees.

Given under my hand and seal this \_\_\_\_\_ day of  
19\_\_\_\_.

(Seal)

*Designation of the Officer.*

*The 29th April 1968*

#### *Rules under Agriculturists' Loans Act, 1884*

No. ADM/LAW/TAG.—In exercise of the powers  
conferred by Section 4 of the Agriculturists' Loans Act,  
1884, I, Nakul Sen, Administrator, Dadra and Nagar  
Haveli, do hereby make the following rules, namely:—

1. *Short title.*—These rules may be called the Agricul-  
turists' Loans Rules, 1968.

2. They shall come into force at once.

3. Under these Rules, the following Officers, who will  
be hereinafter called "Sanctioning authority", are em-  
powered to sanction loans up to the amount shown against  
each in any individual case, subject to the observance of  
these rules.

- |   |      |
|---|------|
| 1. The Collector, Dadra and Nagar Haveli                          | 2500 |
| 2. The Secretary to the Administrator, Dadra<br>and Nagar Haveli. | 1000 |
| 3. The Mamlatdar, Dadra and N.H.                                  | 500  |

4. (a) Loans may be granted to holders of arable land  
for the following objects.

(1) Purchase of seed, seedlings, fodder, cattle, agricul-  
tural stock, Agricultural implements, including well motes,  
(buckets), ropes, jumping bars, manure and hire of cattle  
or agricultural implements.

(2) Rebuilding houses destroyed by fire or flood or  
any other calamity.

(3) Any other purpose not specified in the Land Im-  
provement Loans Act, 1883.

(b) The sanctioning authority may call for such details  
plans, and estimates or such professional opinion on the  
subject for which loan is required as may appear neces-  
sary to him.

5. Applications may be presented to the Mamlatdar, Dadra and Nagar Haveli and in his absence to his Aval Karkun. The application may be made in writing in the application form specified in the Land Improvement Loans Rules, 1965. These forms shall be supplied free of cost. When the security offered is land, copies of Alwaras or an extract of village form VII and XII as the case may be or a Certificate issued by the Revenue Authority in that behalf must be attached to the application.

Provided that when there is a joint application made by a number of inhabitants of one village for an advance to be taken jointly and severally under joint bond or severally upon a common bond, there need be no separate application from each applicant but bond in form 2 (as prescribed in the Manual of Tagavi and its Accounts as in force in Maharashtra and the necessary particulars will be entered in the bonds or agreements executed by the applicants, when the loan is sanctioned.

The officer entertaining the application shall either make an inquiry himself, or cause one to be made by any member of the staff duly authorised by himself for the purpose of ascertaining the particulars in the application form.

(2) The objections, if any, submitted to the officer who received the application or to the inquirer, shall be disposed of by such officer at the time he makes the local inquiry, if he makes it himself, and if not, upon receipt of the report of the officer who made it. He shall then record the particulars of the objection and of his orders thereon in appropriate space in the application form.

If the officer who receives the application is empowered by rule 3, he may himself grant or refuse the loan. Otherwise he shall forward the application, with his report and recommendation thereon through the usual channel to the Secretary or the Collector as the case may be.

7. No loan may be granted unless the sanctioning authority shall be satisfied of the adequacy of the security with a margin for safety.

8. Movable property shall rarely be accepted as security. Personal security may be accepted, even that of one person provided that his solvency is sufficient.

If sureties are more than one, they should preferably be required to bind themselves jointly and severally.

9. A loan shall be paid to the borrower in one or more instalments as the sanctioning authority may deem fit. However large loans may be paid in two or more instalments.

10. *Rate of interest.*—Interest shall be charged on all loans at the rate of 6% or @ such rate as may be fixed by the Government of India from time to time. Penal interest @ 8½% will be charged in respect of instalments which are not paid in time, for the period of actual delay.

11. The order granting a loan shall be made out in an order form prescribing conditions and shall at the time of or before the issue of the loan or the first instalment of it be signed by the applicant or applicants and other persons concerned in token of understanding and agreeing to the conditions contained therein. The grantee shall also execute an agreement in the prescribed form.

12. An instalment shall be suspended whenever from causes beyond the borrowers control his crop fails to such

an extract as to render the payment unduly burdensome to him. Whenever suspensions of rent or Land Revenue are granted under any law for the time being in force, general suspensions of loans should be granted at the same time and to the same extent, so that when only one half of the Land Revenue is suspended, Only one half of the current instalment should be suspended. Unless the season is bad enough to justify general suspensions of Land Revenue, general suspensions of loans will not be justifiable. In case of general suspensions of loans it will be in the Collector's discretion with the previous sanction of the Administrator, to exempt any class of persons from the operation of the order.

When the payment of an instalment is suspended under these Rules, compound interest at the rate fixed in the order granting the loan shall be charged on the said instalment from the date when the said instalment become due until the said instalment together with interest due thereon shall have been paid.

13. Where an advance has been granted on the condition that if any land mortgaged as security is transferred the whole amount outstanding may immediately be recovered, this condition shall not be enforced, if the transferee at the discretion of the sanctioning authority either pays the outstanding amount or executes a fresh bond mortgaging the land as security for the repayment of the amount outstanding.

14. The sanctioning authority if at any time satisfied that the borrower has failed to comply with any conditions :—

(a) shall, if the failure appears to be due to the misapplication of the loan; and

(b) may, if the failure is due to any other cause, after recording in writing the grounds of his decision. Proceed to recover under provision of section 5 of the Act, any sum still payable by such person.

Provided that when any instalment due by the borrower is not paid within one month of the date fixed for its repayment, the sanctioning authority may at his option, instead of recovering the whole amount for the time being outstanding against the borrower recover under the provision of the said section the unpaid instalment only together with penal interest on the said instalment, from the date of default in payment of said instalment until the whole of the amount of the said instalment together with interest thereon shall have been paid.

15. Report of sums written off as irrecoverable :—  
(1) when any loan or portion of loan is found to be irrecoverable, it may be written-off by the Collector :—

(a) If amount is Rs. 100/- or less, of his own authority.

(b) If the amount exceeds Rs. 100/-, with the previous sanction of the Administrator.

16. *Accounts* :—All accounts for all loans shall be kept in forms prescribed in the Manual of Tagavi and its account as in force in the state of Maharashtra.

NAKUL SEN

Administrator

Dadra and Nagar Haveli

Silvassa